

**REMARKS**

In the Final Office Action, the Examiner rejected claims 1-11 and 29-31. These rejections were maintained by the Examiner in the Advisory Action mailed May 19, 2010. In the present Response and Request for Continued Examination (RCE), claims 1, 5, and 30 are amended for clarification of certain features. Upon entry of these amendments, claims 1-11 and 29-31 remain pending in the present application and are believed to be in condition for allowance. In view of the foregoing amendments and following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

**Initial Remarks Regarding Amendment to Dependent Claim 5**

As an initial matter, Applicants note that dependent claim 5, which depends from claim 1, is amended to recite that during a first predetermined period of time, a semiconductor wafer is subjected to a temperature in the range of 30-75 degrees °C, rather than 30-90 degrees °C, as previously recited. Applicants note that the range of 30-75 degrees °C is fully supported by the specification. *See, e.g., Application, p. 10, lines 15-22.* It is believed that the previous recitation of 30-90 degrees °C was a typographical error intended to refer to a bake-time of between 30-90 seconds, as indicated in the specification.

**Rejections under 35 U.S.C. § 102**

In the Office Action, claims 1, 2, 5, 6, 8-10 and 30 were rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Akram. Applicants respectfully traverse these rejections.

***Legal Precedent***

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *See Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir.1985). For a prior art reference to anticipate under Section 102, every element of the

claimed invention must be identically shown in a single reference. *See In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir.1990). That is, the prior art reference must show the *identical invention "in as complete detail as contained in the ... claim"* to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Thus, for anticipation, the cited reference must not only disclose all of the recited features but must also disclose the *part-to-part relationships* between these features. *See Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. 481, 486 (Fed. Cir.1984). Accordingly, Applicants need only point to a single element or claimed relationship not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

***Brief Comparison of the Akram Reference to Applicants' Disclosed Embodiments***

The present application relates generally to a two-step bake process for manufacturing semiconductor wafers. In certain embodiments, the process includes first baking a wafer at a low-bake temperature, and subsequently baking the wafer at a high-bake temperature to prevent interlayer dielectric (ILD) or photoresist layer outgassing. *See Application, Abstract.* When a semiconductor wafer with features is coated with an ILD material or resist, pockets of air or voids may be trapped under the ILD or resist layer and between some of the features. *See id.* at page 4, lines 11-19. During soft-bake processing, air in the unfilled voids may burst through the covering layer, leaving behind surface voids or craters. *See id.* at page 5, lines 2-9. Though some outgassing may be prevented by applying large quantities of ILD material to fill in the voids, this inefficient practice may result in the excessive use of ILD material and may not prevent the formation of resist craters. *See id.* at page 5, lines 11-16.

In lieu of applying excessive amounts of coating to fill all voids prior to soft-baking, the present application discloses applying an ILD coating 16 and/or a photoresist layer 18 over dense features 14A and 14B on a semiconductor wafer 10, such that voids 20 and/or 27, filled with air rather than a coating, remain beneath. *See id.* at page 7, line

20 – page 8, line 6; Fig. 1. Because a single-step soft bake process may cause the air in the unfilled voids 20 and/or 27 to outgas and, accordingly, to cause surface voids or craters in the semiconductor wafer 10, the semiconductor wafer 10 may be subjected to a two-step soft bake process, which includes first baking the wafer 10 at a lower temperature (e.g., between 30-75 °C), and then baking the wafer 10 at a higher temperature (e.g., between 90-150 °C or 100-130 °C). *See id.* at page 9, lines 12-21; Figs. 2-3. Using the two-step soft bake process, “[r]esist craters are eliminated, with or without a consecutive ILD layer, and with more or less ILD material.” *Id.* at page 9, lines 20-21.

After the two-step baking process is performed, the unfilled voids 20 and/or 27 may remain in the semiconductor wafer 10 without having caused surface voids or craters; this may be explained by at least two theories. *See id.* at page 10, lines 1-13. According to a first theory, the lower bake temperature may strengthen the resist layer 18 without providing enough energy to cause air in the voids 20 and/or 27 to push through the resist layer 18. *See id.* In accordance with a second theory, the lower bake temperature may allow the resist layer 18 to remain fluid, such that air from the voids 20 and/or 27 may pass through the resist layer 18, but the resist layer 18 may flow back to its original shape. *See id.*

With the foregoing points in mind, Akram generally relates to a method for forming a thin layer of resist on a non-planar silicon wafer. *See Akram, col. 1, lines 5-10.* As generally illustrated in Fig. 1 of Akram, such a method may include dispensing a resist 34 on a substrate 24 (e.g., step 10), spinning the substrate to spread the resist 34 (e.g., step 12), and vibrating the substrate 24 to fill voids in the resist 34 (e.g., step 14). *See id.* at Fig. 1. The method shown in Fig. 1 also includes an optional step (16) of inverting and vibrating the substrate 24 to help further distribute the resist 34. Particularly, Akram states “[b]y vibrating the substrate 24, the voids are filled in and a more uniform distribution pattern for the layer of resist 34 is achieved.” *Id.* at col. 5, lines 49-52.

Next, *subsequent* to step 14 and the optional step 16 (if performed), the substrate 24 (with any voids between raised features 26 having already been filled) is subjected to heating to partially harden the resist (e.g., step 18). Particularly, Akram states that the step of partially hardening the resist facilitates subsequent edge bead removal and back side washing (e.g., step 20 of the method shown in Fig. 1). *See id.* at col. 6, lines 25-35. Subsequent to the edge bead removal and back side washing of step 20, the substrate 24 is subjected to a soft-baking step 22 to dry excess solvents used in step 20 and to anneal stresses in the resist layer 34 so that the resist 34 can be exposed and developed (e.g., etched to form conductive traces in an underlying conductive layer 30). *See id.* at col. 6, lines 46-62. Thus, to be clear, Akram teaches a process that by the time the steps of heating and soft-baking the substrate (at steps 18 and 22, respectively) are performed, the substrate is already free of unfilled voids, as these voids have already been removed by the vibration steps at steps 14 and 16. This is clearly distinguishable from Applicants' claimed embodiments, which are directed towards methods for soft-baking a semiconductor wafer that has one or more unfilled voids remain under a resist covering a substrate during the soft-baking process.

#### *Independent Claim 1*

As an initial matter, Applicants note that independent claim 1 is directed towards a method for soft-baking a semiconductor wafer using a two-step soft-bake process. As previously presented, independent claim 1 recited a method comprising the steps of: "(a) soft-baking a semiconductor wafer comprising a substrate having a plurality of features formed thereon at a first temperature for a first predetermined period of time, wherein the plurality of features is coated with a resist such that, at least one unfilled void is present under the resist and between two of the plurality of features." (Emphasis added). Because the particular recited characteristics of the semiconductor wafer are presented in conjunction with act (a) of the recited method, Applicants believe that a reasonable interpretation of claim 1 would clearly imply to one skilled in the art that the soft-baking step of act (a) is

performed on a wafer that exhibits such characteristics (e.g., having an unfilled void is present under the resist and between two features). Indeed, as noted by Applicants in the Response filed on April 21, 2010 (“Previous Response”), this recitation appears to be in direct contrast to Akram, which teaches that the asserted first soft-bake step (e.g., step 18) is performed only *after* voids have been removed from a wafer substrate (e.g., by using the vibration step 14).

In the Advisory Action, the Examiner disagreed with Applicants’ position, stating that “claim [1] recites that the method is comprising, meaning an open-ended circumstance wherein more steps can be accomplished (such as the vibrating steps of Akram) without them being claims. Hence the absence of the vibrating step in the claim does not preclude the actions taken by Akram.” Advisory Action, p. 2. As best understood, the Examiner appears to be indicating that the recitation setting forth that the semiconductor wafer includes at least one unfilled void need not necessarily be interpreted as being tied temporally to the performance of act (a) in the recited method. That is, the Examiner seems to have taken the position that as long as Akram discloses that the wafer has an unfilled void at some point during the asserted two-step bake process (e.g., steps 18 and 22), that this recitation is met by Akram.

While Applicants do not necessarily agree with the Examiner’s interpretation, in the interest of advancing prosecution, Applicants have chosen to amend independent claim 1 by the present Response for clarification of this particular feature. For instance, as amended, independent claim 1 recites “(a) soft-baking a semiconductor wafer comprising a substrate having a plurality of features formed thereon at a first temperature for a first predetermined period of time, wherein the plurality of features is coated with a resist such that, at the time act (a) begins, at least one unfilled void is present under the resist and between two of the plurality of features.” (Emphasis added). Thus, amended independent claim 1 expressly recites that at the time the act (a) begins to be performed (e.g., when the first soft-baking step starts), at least one unfilled void is present under the

resist and between two of the plurality of features. As discussed above, Akram, to the contrary, clearly discloses a wafer that has no voids at the time the asserted first soft-bake step 18 is performed. Thus, in sharp contrast to the subject matter recited by amended independent claim 1, Akram does not teach or suggest “(a) soft-baking a semiconductor wafer that comprises a substrate having a plurality of features ... coated with a resist such that, at the time act (a) begins, at least one unfilled void is present under the resist and between two of the plurality of features.” (Emphasis added).

In view of these deficiencies, among others, no *prima facie* case of anticipation is believed to exist with regard to independent claim 1 based upon Akram. Accordingly, Applicants respectfully request that the Examiner withdraw the Section 102 rejection and allow independent claim 1 and those claims depending therefrom.

***Independent Claim 30***

Like independent claim 1, independent claim 30 is also directed toward a method for soft-baking a semiconductor wafer using a two-step soft-bake process. For instance, independent claim 30, as previously presented, recites: “(a) soft-baking a substrate having a plurality of features coated with a resist at a first temperature for a first predetermined period of time using a first thermal unit; and (b) after act (a), soft-baking the substrate at a second higher temperature for a second predetermined period of time using a second thermal unit.” (Emphasis added). Thus, as noted in the Previous Response, Applicants believe that independent claim 30 clearly recites that the temperature at which the substrate is soft-baked in step (b) is higher than the temperature at which the substrate is soft-baked in step (a).

Applicants further noted in the Previous Response that Akram does not appear to disclose that the asserted second soft-baking step 22 necessarily occurs at a higher second temperature compared to the asserted first soft-baking step. In contrast, Applicants noted that Akram states that the both of the asserted soft-baking steps 18 and 22 occur at

temperatures of between 60 to 120 °C. *See Akram, col. 6, lines 29-56.* Applicants do not believe that this teaching alone necessarily discloses that the temperature used for the asserted second soft-baking step (step 22) is higher than the temperature used during the asserted first soft-baking step (step 18). For instance, while these particular teachings of Akram may indicate the mere possibility that the temperature used for the asserted second soft-baking step *could* be higher than the temperature used for the asserted first soft-baking step, these teachings also equally suggest that the temperature used for the asserted second soft-baking step could be lower than or equal to the temperature used for the asserted first soft-baking step. The relativity of the temperatures is completely absent from the teachings of Akram. That is, the disclosure that these two temperatures may have the same range (e.g., 60 to 120 °C) does not reasonably convey that one temperature is necessarily higher than the other, particularly when the examples of ranges given in Applicants' specification with regard to the first soft-bake step (e.g., 30 to 75 °C) do not even overlap with the second soft-bake step (e.g., 90 to 150 °C).

In the Advisory Action, the Examiner disagreed with Applicants' position and asserted that because step 18 of Akram's process is referred to as a "partial hardening" step, that such a step must necessarily occur at a lower temperature than step 22, which is referred to as a "soft-bake" step. Applicants respectfully disagree with the reasoning. For instance, Akram's partial hardening step 18 could likely also be accomplished at the same temperature as the soft-bake step, but at a lesser duration. As such, there does not appear to be any basis for the Examiner's assertion that step 18 of Akram must *necessarily* occur at a lower temperature than step 22.

However, rather than belabor these points, Applicants have chosen to amend independent claim 30 for clarification of certain features in order to advance prosecution. In particular, independent claim 30 has been amended to recite that the first temperature has a range of between approximately 30 to 75 °C and that the second higher temperature has a

range of between approximately 90 to 150 °C. As discussed above, Akram, to the contrary, clearly states that both of the asserted soft-baking steps (steps 18 and 22) occur at between 60 to 120 °C. For at least the reasons discussed above, no *prima facie* case of anticipation is believed to exist with regard to amended independent claim 30 based upon Akram. Accordingly, Applicants respectfully request that the Examiner withdraw the Section 102 rejection and allow independent claim 30 and those claims depending therefrom.

#### **Rejections under 35 U.S.C. § 103**

In the Office Action, the Examiner additionally rejected dependent claims 3, 4, 7, 11, 29, and 31 under 35 U.S.C. § 103(a) as being unpatentable over Akram. Applicants respectfully traverse these rejections.

#### ***Legal Precedent***

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). To establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). In addressing obviousness determinations under 35 U.S.C. § 103, the Supreme Court in *KSR International Co. v. Teleflex Inc.*, No. 04-1350 (April 30, 2007), reaffirmed many of its precedents relating to obviousness including its holding in *Graham v. John Deere Co.*, 383 U.S. 1 (1966). In *KSR*, the Court also reaffirmed that “a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art.” *Id.* at 14. In this regard, the *KSR* court stated that “it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does ... because inventions in most, if not all, instances rely upon

building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known.” *Id.* at 14-15.

Furthermore, the *KSR* court did not diminish the requirement for objective evidence of obviousness. *Id.* at 14 (“To facilitate review, this analysis should be made explicit. See *In re Kahn*, 441 F.3d 977, 988 (CA Fed. 2006) (“[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness”). As our precedents make clear, however, the analysis need not seek out precise teachings directed to the specific subject matter of the challenged claim, for a court can take account of the inferences and creative steps that a person of ordinary skill in the art would employ.”); see also, *In re Lee*, 61 U.S.P.Q.2d 1430, 1436 (Fed. Cir. 2002) (holding that the factual inquiry whether to combine references must be thorough and searching, and that it must be based on *objective evidence of record*).

#### *Deficiencies of the Rejection*

Claims 3, 4, 7, 11, 29, and 31 each depend from either independent claim 1 or independent claim 30, which were both rejected by the Examiner under Section 102 based solely upon Akram. As discussed above, however, independent claims 1 and 30 have each been amended to more clearly distinguish the recited subject matter from Akram. Accordingly, claims 3, 4, 7, 11, 29, and 31 are believed to be allowable at least by virtue of their respective dependencies from either claims 1 or 30. Additionally, as discussed below, claims 3, 4, 29, and 31 are also believed to be allowable over Akram based upon their separately recited subject matter.

#### *Dependent Claim 3*

Dependent claim 3 depends from claim 1 and recites “wherein during the first predetermined period of time; the resist hardens; and air trapped in the at least one unfilled void under the resist does not possess sufficient energy to expand through the

resist." (Emphasis added). Thus, claim 3 clearly sets forth a temporal aspect in that an unfilled void having air is present during the first predetermined period of time (e.g., the void is present when act (a) is being performed). In rejecting dependent claim 3 under Section 103, the Examiner admitted that Akram does not specifically disclose that air trapped in at least one unfilled void does not possess sufficient energy to expand through a resist layer. *See* Final Office Action, page 4. However, the Examiner asserted that it would have been obvious to one of ordinary skill in the art to conclude that since the resist of Akram hardens during the first soft-bake (step 18), air trapped under the resist would not possess sufficient energy to expand through the resist. *See id.* Applicants respectfully disagree.

As discussed above, in accordance with the soft-baking techniques of Akram, any unfilled voids that are initially present between surface features 26 of the substrate 24 are filled with the resist 34 due to the vibrating process (e.g., steps 14 and optional step 16) performed *prior* to the asserted first soft-baking step 18. Thus, by the time the asserted first soft-bake (step 18) is performed, there are no unfilled voids present under the resist, as any such voids would have already been filled during the preceding vibrating steps. As such, there does not appear to be any basis for the Examiner's assertion that one skilled in the art would conclude that the asserted first soft-baking step would prevent air trapped in voids under the resist from expanding through the resist, as Akram clearly states that such voids are filled, and thus do not contain trapped air, *prior* to the asserted first soft-baking step being performed. As understood, the only time in which the wafer of Akram contains voids is prior to step 14 (vibration step), which clearly does not occur during the first predetermined period of time.

Accordingly, while claim 3 is believed to be clearly patentable at least by virtue of its dependency from independent claim 1, Applicants believe that claim 3 is also allowable over Akram in view of the subject matter separately recited.

***Dependent Claim 4***

Dependent claim 4 depends from claim 1 and recites “wherein during the first predetermined period of time: the resist remains fluid; and air trapped in the at least one unfilled void under the resist expands through the resist to the surface; and the resist flows back to its original conformal shape.” (Emphasis added). Thus, like dependent claim 3, dependent claim 4 temporally sets forth that when act (a) is being performed (e.g., during the first predetermined period of time), there is an unfilled void present under a resist layer. In rejecting dependent claim 4 under Section 103, the Examiner admitted that Akram does not specifically disclose that air trapped in at least one unfilled void expands through a resist layer, but asserted that one skilled in the art would have found it obvious to conclude that during the asserted first soft-baking step, that the resist 34 remains partially fluid to allow air trapped under the resist to expand through the resist. *See* Final Office Action, page 4. Again, Applicants disagree.

As discussed above, Akram teaches performing the asserted first soft-bake step 18 on a substrate that contains no unfilled voids. Particularly, the vibration steps 14 and 16, which are described as being performed *prior* to the asserted first soft-bake step 18, cause any unfilled voids to be filled with the resist material 34. As the Examiner can appreciate, a void filled with a resist 34 would not contain trapped air, as the resist 34 would have caused any trapped air to be displaced or expelled from the void. Thus, by the time the asserted first soft-bake (step 18) is performed, no unfilled voids containing trapped air would be present under the resist. As such, there does not appear to be any basis for the Examiner’s assertion that one skilled in the art would conclude that the asserted first soft-baking step would allow air trapped in voids under the resist to expand through the resist, as Akram clearly states that such voids are filled, and thus do not contain trapped air, prior to the asserted first soft-baking step being performed.

Accordingly, while claim 4 is believed to be clearly patentable at least by virtue of its dependency from independent claim 1, Applicants believe that claim 4 is also allowable over Akram in view of the subject matter separately recited.

***Dependent Claims 29 and 31***

Dependent claims 29 and 31 depend from independent claims 1 and 30, respectively, and each recite that subsequent to acts (a) (e.g., first soft-baking step) and (b) (e.g., second soft-baking step), at least one unfilled void remains present under the resist. Thus, Applicants note that claims 29 and 31 clearly set forth a temporal aspect in which an unfilled void is present after both soft-bake steps have occurred. Applicants respectfully submit that this recited feature is not disclosed or rendered obvious in view of Akram.

In rejecting claims 29 and 31, the Examiner admitted that this feature is absent from Akram, but alleged that it would have been obvious to one of ordinary skill in the art to conclude that an unfilled void would remain between a plurality of features under a resist layer after soft-baking a substrate. *See* Final Office Action, page 6. Here again, Applicants respectfully disagree. As mentioned above, Akram discloses a technique in which all voids are filled by a resist (e.g., during to vibration steps 14 and 16) before the asserted first and second soft-baking steps 18 and 22 are performed. Thus, the asserted soft-baking steps of Akram are clearly carried out on a substrate that does not contain unfilled voids, as any such unfilled voids would have been removed by the vibration steps 14 and 16 prior the asserted soft-baking steps 18 and 22.

Accordingly, while claims 29 and 31 are believed to be clearly patentable at least by virtue of their respective dependencies from independent claims 1 and 30, Applicants believe that claims 29 and 31 would also be allowable over Akram in view of the subject matter separately recited.

**Conclusion**

In view of the remarks set forth above, Applicants respectfully request reconsideration of the Examiner's rejections and allowance of all pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

**General Authorization for Extensions of Time**

In accordance with 37 C.F.R. § 1.136, Applicants hereby provide a general authorization to treat this and any future reply requiring an extension of time as incorporating a request therefor. Further, Applicants hereby request a one-month extension of time from May 22, 2010 to June 22, 2010. The Commission is authorized to charge the requisite fee of \$940.00 (which includes the fee of \$130.00 for the one-month extension and \$810.00 for the RCE) to the credit card provided during electronic filing. However, if the credit card information is missing, if the amount is insufficient, or if the amount is unable to be charged to the credit card for any other reason, the Commissioner is authorized to charge Deposit Account No. 06-1315; Order No. MICS:0117/MAN (02-1051).

Respectfully submitted,

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